

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re: MARTIN J. VIALE and, DONNA M. VIALE Debtor, FIFTH THIRD BANK, N.A. Movant, v. MARTIN J. VIALE DONNA M. VIALE and RONDA J. WINNECOUR, Trustee, Respondents.	Bankruptcy No. 19-23752-GLT Chapter 13 Doc. No. 116, 120
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**STIPULATED ORDER RESOLVING MOTION FOR RELIEF FROM AUTOMATIC
STAY**

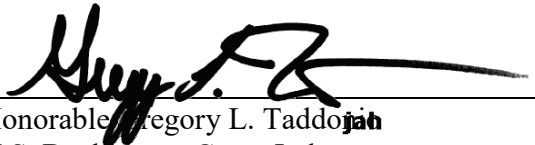
NOW this _ 16th day of August 2021, in said District, upon agreement of the p

This Court FINDS that Fifth Third Bank, N.A., Movant holds a residential second mortgage (the "Mortgage") on Debtors' real property located at 30 Ashley Road, Gibsonia, PA 15044 ("Property"), recorded in the Office of the Recorder of Deeds for Western District of Pennsylvania, to secure a Note (the "Note"). For failure to make monthly plan payments to the Chapter 13 Trustee, Movant filed a Motion for Relief from the Automatic Stay on July 22, 2021.

In an effort to resolve the pending Motion for Relief and response thereto at Document Nos. 116 and 120, the parties agree to stipulate to the entry of the below.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said relief shall be stayed so long as the Debtor mails a plan payment in the amount of \$8,000.00 by August 16, 2021 and then make each and every plan payment in a timely and complete manner beginning with the September 2021 full plan payment stated in the Debtor's most recent filed plan. Should the Debtor default in any plan payment and upon Affidavit of creditor's counsel or the Trustee, relief from the automatic stay shall be immediately effective without further Order of the Court. Any Affidavit of default filed with the Court shall indicate that Creditor's counsel has confirmed that no payments have been made directly to Fifth Third Bank, N.A. and that counsel has reviewed the Trustee's internet site and that a default is evident according to the Trustee's records. Additionally a copy of the Trustee's report showing the default must be attached to the Affidavit.

The hearing scheduled for August 18, 2021 is CANCELLED.


Honorable Gregory L. Taddo
U.S. Bankruptcy Court Judge

/s/ Keri P. Ebeck
Attorney for Movant
Keri P. Ebeck, Esquire
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/s/ Brian C. Thompson
Attorney for Debtor
Brian C. Thompson, Esquire
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Thompson Law Group, P.C.
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Suite 200
Warrendale, PA 15086
724-799-8404
bthompson@ThompsonAttorney.com

In re:
Martin J Viale
Donna M. Viale
Debtors

Case No. 19-23752-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Aug 16, 2021

User: dkam
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 18, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Martin J Viale, Donna M. Viale, 30 Ashley Road, Gibsonia, PA 15044-7836

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 18, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 16, 2021 at the address(es) listed below:

Name	Email Address
Anthony T. Kovalchick	on behalf of Creditor Dep't of Revenue Office of Attorney General akovalchick@attorneygeneral.gov
Ashleigh Levy Marin	on behalf of Creditor Citibank N.A., as Trustee for CMLTI Asset Trust amarin@feinsuch.com, pabankruptcy@feinsuch.com
Brian Nicholas	on behalf of Creditor Bayview Loan Servicing LLC bnicholas@kmlawgroup.com
Brian C. Thompson	on behalf of Debtor Martin J Viale bthompson@ThompsonAttorney.com blemon@thompsonattorney.com;bthompson@ecf.courtdrive.com;jcastello@thompsonattorney.com;kfinke@thompsonattorney.com
Brian C. Thompson	on behalf of Joint Debtor Donna M. Viale bthompson@ThompsonAttorney.com

District/off: 0315-2

User: dkam

Page 2 of 2

Date Rcvd: Aug 16, 2021

Form ID: pdf900

Total Noticed: 1

blemon@thompsonattorney.com;bthompson@ecf.courtdrive.com;jcastello@thompsonattorney.com;kfinke@thompsonattorney.com

Daniel Philip Jones

on behalf of Creditor Community Loan Servicing LLC djones@sterneisenberg.com, bkecf@sterneisenberg.com

Jeffrey R. Hunt

on behalf of Creditor Township of West Deer jhunt@grblaw.com cnoroski@grblaw.com

Jeffrey R. Hunt

on behalf of Creditor County of Allegheny jhunt@grblaw.com cnoroski@grblaw.com

Keri P. Ebeck

on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com

Keri P. Ebeck

on behalf of Creditor Fifth Third Bank N.A. kebeck@bernsteinlaw.com, jbluemle@bernsteinlaw.com

Kristen D. Little

on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper et al pabk@logs.com klittle@logs.com;logsecf@logs.com

Lorraine Gazzara Doyle

on behalf of Creditor Fay Servicing LLC as servicer for Citibank, N.A., as trustee for CMLTI Asset Trust lorraine@mvrlaw.com, diane@mvrlaw.com;bankruptcy@friedmanvartolo.com

Michael John Clark

on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper et al mclark@squirelaw.com

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

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S. James Wallace

on behalf of Creditor Peoples Gas Company LLC f/k/a Peoples TWP LLC ecfpeoples@grblaw.com, PNGbankruptcy@peoples-gas.com

Sindi Mncina

on behalf of Creditor U.S. Bank National Association smncina@rascrane.com

Thomas Song

on behalf of Creditor Bayview Loan Servicing LLC pawb@fedphe.com

Wade T. Doerr

on behalf of Creditor THE HUNTINGTON NATIONAL BANK wdoerr@bdblaw.com

TOTAL: 19